

HOUSE BILL REPORT

HB 2324

As Reported by House Committee On:
Commerce & Labor

Title: An act relating to soil scientists.

Brief Description: Regarding soil scientists.

Sponsors: Representatives Hunt and Wood.

Brief History:

Committee Activity:

Commerce & Labor: 2/27/07 [DP].

Brief Summary of Bill

- Prohibits using the title "soil scientist" unless the person is certified by the Department of Licensing.
- Provides standards of conduct for certified soil scientists.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass. Signed by 5 members: Representatives Conway, Chair; Wood, Vice Chair; Green, Moeller and Williams.

Minority Report: Do not pass. Signed by 3 members: Representatives Condotta, Ranking Minority Member; Chandler, Assistant Ranking Minority Member and Crouse.

Staff: Joan Elgee (786-7106).

Background:

Soil science is not a regulated profession in Washington. In 2005, the Department of Licensing (Department) conducted a sunrise review and recommended that soil scientists be regulated.

The Geologist Licensing Board (Board) administers licensing requirements for geologists.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Uniform Regulation of Business and Professions Act provides standardized disciplinary procedures for the businesses and professions regulated by the Department.

Summary of Bill:

General

Soil science certification is established. A person may not use the title soil scientist or description tending to convey the impression that the person is a soil scientist unless the person is certified by the Department. The Board administers the provisions with the advice of an advisory committee.

Soils science is the science that involves the study of various aspects of the living soil ecosystem and includes: soil physics; soil chemistry and mineralogy; soil biochemistry; soil fertility and soil genesis; morphology; and classification. Soil science can be used to provide information for such projects as management of water quantity, treatment of polluted soils and water, interpretation of soil morphology and soil development to avoid or mitigate negative impacts to surface water or groundwater systems, and preparation of detailed soil maps.

Certification Requirements

An applicant for certification must:

- be of good moral and ethical character;
- have graduated from a satisfactory course of study in soil science or satisfy educational equivalents;
- have a minimum of five years of experience in soil science, with at least three years of the experience under the supervision of a credentialed soil scientist or other qualified person;
- pass an exam covering the fundamentals and practice of soil science as determined by the Board; and
- meet other requirements established by the Board.

A grandfather clause provides that before July 1, 2009, a person is qualified for certification without passing the exam. A reciprocity clause allows a person holding valid credentials from another jurisdiction to be certified without passing the exam.

Unprofessional conduct

In addition to unprofessional conduct described in the Uniform Regulation of Business and Professions Act, a number of other acts are listed as unprofessional conduct, including:

- committing any act or failure to act which is customarily regarded as being contrary to the accepted professional conduct or standard generally expected of those practicing soil science;
- failing to respond to inquiries from clients or other professionals regarding conflicts with the soil scientist's work, opinions, or procedures in a manner that would be expected from a prudent practitioner;
- modifying another certified soil scientist's work under certain conditions; and

- accepting gratuities from contractors and others.

Advisory Committee

An advisory committee is established to provide recommendations to the Board regarding rules and review of complaints and investigations. The committees consist of five persons appointed by the Director of the Department. The members must meet specified professional and residential requirements.

Other

Other provisions address the use of a seal, program fees and fines, and other administrative matters.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect on January 1, 2009.

Staff Summary of Public Testimony:

(In support) None.

(Opposed) None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: None.